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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

**NOTICE**

Pursuant to Local Rule 3-12(b), Defendants Google LLC and Alphabet Inc. hereby give notice of the filing of their Unopposed Administrative Motion to Relate the above-captioned action to *In re Google Digital Advertising Antitrust Litigation*, 20-cv-03556-BLF. The Motion is attached hereto as Exhibit A.

DATED: January 8, 2021

# WILLIAMS & CONNOLLY LLP

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# **EXHIBIT A**

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

IN RE GOOGLE DIGITAL  
ADVERTISING ANTITRUST  
LITIGATION ) Case No. 5:20-cv-03556-BLF  
 )  
 ) **UNOPPOSED ADMINISTRATIVE**  
 ) **MOTION TO CONSIDER WHETHER**  
 ) **CASES SHOULD BE RELATED**  
 )  
 ) Civ. L.R. 3-12, 7-11  
 )  
 )

1 **TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE that, pursuant to Civil Local Rules 3-12 and 7-11, Defendants  
3 Google LLC and Alphabet Inc. (“Defendants”) hereby move to relate the fourth of four recently filed  
4 putative class actions, *Astarita v. Google LLC, et al.*, Case No. 21-cv-00022-DMR (N.D. Cal. filed Jan.  
5 4, 2021), to this ongoing *In re Google Digital Advertising Antitrust Litigation* (“*Digital Ads*  
6 *Litigation*”).

7 As reflected in the accompanying Stipulation and [Proposed] Order, Plaintiff Mark J. Astarita  
8 (“Plaintiff”) and Defendants agree that Plaintiff’s case meets both of the requirements for relatedness  
9 under Local Rule 3-12. First, Plaintiff’s complaint names the same Defendants as in the *Digital Ads*  
10 *Litigation*; asserts the same claims for relief—under Section 2 of the Sherman Act and under  
11 California’s Unfair Competition Law—asserted in *the Digital Ads Litigation*; bases his claims for relief  
12 upon the same alleged practices by Google regarding display advertising as those alleged in *the Digital*  
13 *Ads Litigation*; and proposes to represent the same class as the class proposed in *Digital Ads Litigation*.  
14 Thus, Local Rule 3-12(a)(1) is satisfied given that these two cases concern substantially the same  
15 parties, property, transactions, and events. Second, because *Astarita* and *Digital Ads Litigation* arise  
16 out of substantially identical facts and are brought on behalf of the same proposed class, conducting the  
17 two cases before different judges would result in an unduly burdensome duplication of labor and  
18 expense and potentially conflicting results, such as with regard to the lawfulness of the alleged conduct  
19 and with respect to injunctive relief that plaintiffs in the actions each may seek. Local Rule 3-12(a)(2)  
20 is therefore also satisfied.

21 For the foregoing reasons, and pursuant to the parties’ stipulation, Defendants respectfully  
22 request that the Court enter the proposed Order finding these two cases related.

23  
24 Dated: January 8, 2021

Respectfully submitted,

25 By: /s/ John E. Schmidlein  
26 John E. Schmidlein (State Bar No. 163520)  
27 Benjamin M. Greenblum (*pro hac vice*)  
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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

IN RE GOOGLE DIGITAL  
ADVERTISING ANTITRUST  
LITIGATION

Case No. 5:20-cv-03556-BLF

## **STIPULATION AND [PROPOSED] ORDER RELATING CASES**

Civ. L.R. 3-12, 7-11

1 Pursuant to Civil Local Rules 3-12 and 7-11, Mark J. Astarita (“Plaintiff”), the plaintiff in  
2 *Astarita v. Google LLC, et al.*, Case No. 21-cv-00022-DMR (N.D. Cal. filed Jan. 4, 2021), and  
3 defendants Google LLC and Alphabet Inc. (“Defendants”), stipulate as follows:

4 WHEREAS, Plaintiff filed his action against Defendants on January 4, 2021;

5 WHEREAS, Plaintiff’s complaint names the same Defendants as in the above-captioned  
6 consolidated litigation, *In re Google Digital Advertising Litigation*, No. 20-cv-3556-BLF (“Digital Ads  
7 Litigation”);

8 WHEREAS, Plaintiff’s complaint asserts the same claims for relief, under Section 2 of the  
9 Sherman Act and under California’s Unfair Competition Law, asserted in *Digital Ads Litigation*;

10 WHEREAS, Plaintiff bases his claims for relief upon the same alleged practices by Google  
11 regarding display advertising as those alleged in the *Digital Ads Litigation*;

12 WHEREAS, Plaintiff proposes to represent a class co-extensive with the class proposed in  
13 *Digital Ads Litigation*;

14 WHEREAS, Local Rule 3-12(a) is therefore satisfied because these two cases concern  
15 substantially the same parties, property, transactions, and events;

16 WHEREAS, Local Rule 3-12(b) also is satisfied because conducting the two cases before  
17 different Judges would result in an unduly burdensome duplication of labor and expense and potentially  
18 conflicting results.

19 NOW THEREFORE, pursuant to Local Rules 3-12 and 7-11, the parties, through their  
20 respective counsel, hereby stipulate and respectfully request that the Court find that *Astarita v. Google*  
21 *LLC, et al.*, Case No. 21-cv-00022-DMR (N.D. Cal. filed Jan. 4, 2021), is related to and therefore is to  
22 be assigned to the same Judge presiding in *In re Google Digital Advertising Litigation*, No. 20-cv-  
23 3556-BLF.

24 **IT IS SO STIPULATED.**

25 Dated: January 8, 2021

Respectfully submitted,

26 By: /s/ John E. Schmidlein  
27 John E. Schmidlein (State Bar No. 163520)  
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## ATTESTATION

I, John E. Schmidlein, am the ECF User whose ID and password are being used to file this document. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that all counsel have concurred in this filing.

/s/ John E. Schmidlein  
John E. Schmidlein

## [PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: \_\_\_\_\_

Hon. Beth Labson Freeman  
United States District Judge